

FILED

DISTRICT COURT OF GUAM

MAR - 8 2006

MARY L.M. MORAN
CLERK OF COURTDISTRICT COURT OF GUAM
TERRITORY OF GUAM

ROLAND M. ABISIA,

Defendant-Petitioner,

vs.

UNITED STATES OF AMERICA,

Plaintiff-Respondent.

Criminal Case No. 96-00089

Civil Case No. 05-00041

ORDER

This matter comes before the Court on Petitioner Roland M. Abisia's ("Abisa") Motion for Reconsideration of the Court's DENIAL of his motion to correct sentence pursuant to 28 U.S.C. §§ 2255, 2241, and 1651.¹

A Motion for Reconsideration should be denied unless it raises new factual or legal arguments. *See, Backlund v. Barnhart*, 778 F.2d 1386, 1388 (9th Cir. 1985). In his motion for reconsideration, Abisia essentially reasserts the arguments raised in his initial motions. The Court finds no new legal or factual basis upon which to grant relief. Accordingly, the Motion for Reconsideration is DENIED.

SO ORDERED this 16th day of March, 2006.


Donald W. Molloy
United States District Judge

¹ The petition was titled "Petition Pursuant to 28 U.S. C. § 1651 All Writs Act; 28 U.S.C. § 2255; 28 U.S.C. § 2241; Extraordinary Writs Error Coram Nobis Audita Querela" ("Petition"). In addition to said petition Abisa filed a motion entitled "Motion to Preserve Booker Claim." *See* Docket Nos. 62 and 63 respectively. *See* Docket No. 65 for this Court's Order denying the petition.

^{*} The Honorable Donald W. Molloy, United States Chief District Judge for Montana, by designation.